## Fifty-ninth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 4, 2005

HOUSE BILL NO. 1496 (Representatives Nelson, S. Kelsh, Monson) (Senators Seymour, Tollefson)

AN ACT to create and enact a new subsection to section 57-39.2-04 and a new section to chapter 57-43.2 of the North Dakota Century Code, relating to a sales and use tax exemption for sales of hydrogen and production, storage, and transportation equipment used by a facility engaged in hydrogen generation and a special fuels tax exemption for the sale of hydrogen; to provide an effective date; and to provide an expiration date.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** A new subsection to section 57-39.2-04 of the North Dakota Century Code is created and enacted as follows:

Gross receipts from the sale at retail of hydrogen to power an internal combustion engine or fuel cell and equipment used directly and exclusively in production and storage of the hydrogen by a hydrogen generation facility in this state. For purposes of this subsection, "storage" means stationary and portable hydrogen containers or pressure vessels, piping, tubing, fittings, gaskets, controls, valves, gauges, pressure regulators, safety relief devices, and other accessories intended for hydrogen storage containers or pressure vessels.

**SECTION 2.** A new section to chapter 57-43.2 of the North Dakota Century Code is created and enacted as follows:

**Special fuels tax exemption for hydrogen.** Sales of hydrogen to power an internal combustion engine or fuel cell are exempt from the taxes imposed by sections 57-43.2-02 and 57-43.2-03.

**SECTION 3. EFFECTIVE DATE - EXPIRATION DATE.** This Act is effective for taxable events occurring after June 30, 2005, and before July 1, 2010, and is thereafter ineffective.

## H. B. No. 1496 - Page 2

	Speaker of the House  Chief Clerk of the House					President of the Senate  Secretary of the Senate		
							esentatives of the	
House Vote	: Ye	eas	91	Nays	0	Absent	3	
Senate Vote	e: Ye	eas	42	Nays	4	Absent	1	
							Clerk of the Ho	, 2005.
						Gove	rnor	
Filed in this	office thi	s		day of	f			, 2005,
at	_ o'clock		M.					
						Secre	etary of State	